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SEP 15 2006

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FACSIMILE TRANSMITTAL SHEET

TO: Examiner Dung Anh Le
Group Art Unit: 2818
Confirmation No.: 1844
Serial No.: 10/673,539
Attorney Docket No.: E3755-00002
In re: Baiocchi et al.

FIRM/COMPANY: U.S. Patent and Trademark Office

FACSIMILE NUMBER: 571.273.8300

**CONFIRMATION
TELEPHONE:** 571.272.1784

FROM: Joseph A. Powers

DIRECT DIAL: 215.979.1842

DATE: September 15, 2006

USER NUMBER: 1983

FILE NUMBER: E3755-00002

TOTAL # OF PAGES: 4
(INCLUDING COVERSHEET)

MESSAGE:

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Attorney Docket No. E3755-00002

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of: Baiocchi et al.

Confirmation No. 1844

Serial No.: 10/673,539

Examiner: Dung Anh Le

Filed: 09/29/2003

Group Art Unit No. 2818

Title: METAL-OXIDE-SEMICONDUCTOR DEVICE WITH ENHANCED SOURCE
ELECTRODECertification Under 37 C.F.R. §1.8

I hereby certify that this correspondence and the documents referred to as attached therein are being sent via facsimile transmission to (571) 273-8300 under 37 C.F.R. §1.8.

Dated: 9/15/06
Joseph A. Powers, Esq.
(Reg. No. 47,006)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**PAYMENT OF DEFICIENCY OF FEES ERRONEOUSLY
PAID AS A SMALL ENTITY UNDER 37 CFR 1.28(c)**

In reviewing our application file in preparation for attending to the payment of the Issue Fee, it was discovered that a petition for a two month extension of time filed on June 20, 2005, and a petition for a one month extension of time filed on June 16, 2006, were erroneously filed using "small entity" status for payment of the petition fees. The payments of the small entity petition fees were erroneous, but made in good faith.

Thus, in accordance with 37 CFR §1.28(c), Applicants request that the error in small entity status be excused. The separate submission and itemization requirements of 37 CFR §1.28(c) are provided below.

09/18/2006 SLUANG1 00000001 041679 10673539

01 FC:1252	450.00 DA
02 FC:1251	120.00 DA

DMZ\813816.1

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The calculation of the deficiency owed is itemized as follows:

Type of Fee	Current Large Entity fee	Small Entity Fee Paid	Date Paid	Deficiency Owed
Petition for Two Month Extension	\$450	\$225	6/20/2005	\$225
Petition for One Month Extension	\$120	\$60	6/16/2006	\$60
			TOTAL DEFICIENCY	\$285.00

Please charge the fees indicated above to Deposit Account No. 04-1679. Please charge any additional fees or underpayments and credit any overpayments to Deposit Account No. 04-1679.

Respectfully submitted,

Dated: 9/15/06


Joseph A. Powers, Esquire
Registration No. 47,006
Attorney for Applicant

DUANE MORRIS LLP
30 South 17th Street
Philadelphia, Pennsylvania 19103
(215) 979-1842 (Telephone)
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Adjustment date: 09/18/2006 SLUANG1
06/22/2005 GUORDOF1 00000037 041679 10673539
01 FC:2252 225.00 CR

Adjustment date: 09/18/2006 SLUANG1
06/19/2006 WABDELRI 00000005 041679 10673539
01 FC:2251 60.00 CR

DM21813816.1

PTO/SB/17 (07-08)

Approved for use through 01/31/2007, OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL
For FY 2006☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 285.00

Complete if Known

Application Number 10/673,539
 Filing Date 09/29/2003
 First Named Inventor Frank A. Baiocchi
 Examiner Name Dung Anh Le
 Art Unit 2818
 Attorney Docket No. 1-1-38-5 (E3755-00002)

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SEP 15 2006

METHOD OF PAYMENT (check all that apply)
☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): _____

☒ Deposit Account Deposit Account Number: 04-1679 Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

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FEE CALCULATION**1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

2. EXCESS CLAIM FEES**Fee Description**

	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

<u>Total Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
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- 20 or HP =	x	=	
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HP = Highest number of total claims paid for, if greater than 20.

<u>Indep. Claims</u>	<u>Extra Claims</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
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- 3 or HP =	x	=	
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HP = highest number of independent claims paid for, if greater than 3.

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
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- 100 =	/ 50 =	(round up to a whole number) x	=	
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4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Deficiency in Large Entity Extension Fees

Fees Paid (\$)

285.00

SUBMITTED BY

Signature 	Registration No. (Attorney/Agent)	Telephone 215-979-1842
Name (Print/Type) Joseph A. Powers		Date 9/15/2006

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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